

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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ANDREA J. NUSSINOW,

Plaintiff,

**AFFIDAVIT**

-against-

Case No.: 1:19-cv-332

COUNTY OF COLUMBIA, RONALD PEREZ, as President of the Columbia-Greene Humane Society, Inc., and in his individual capacity, LEE DELISLE, as Chief Investigator for the Columbia-Greene Humane Society, Inc., and in his individual capacity, and COLUMBIA-GREENE HUMANE SOCIETY, INC., doing business as the Columbia-Greene Humane Society/SPCA,

(FJS/CFH)

Defendants.

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State of New York      }  
County of Albany      } ss.:

Thomas K. Murphy, being duly sworn, deposes and says:

1. I am an attorney duly licensed to practice law in the State of New York and am a member of the law firm of Murphy Burns LLP, attorneys for defendant, County of Columbia, and am fully familiar with the facts and the procedural history of this action.
2. I submit this Affidavit and the accompanying Memorandum of Law in support of defendant County of Columbia's Motion to Dismiss pursuant to Fed. R. Civ. P. 12(b)(6).

WHEREFORE, the defendant, County of Columbia, requests that the Court dismiss plaintiff's Complaint as against it pursuant to Fed. R. Civ. P. 12(b)(6).

MURPHY BURNS LLP

By:

Thomas K. Murphy  
Bar Roll No.: 505396

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Sworn to before me this  
15th day of May, 2019.

Patricia A. Kopach

Notary Public

PATRICIA A. KOPACH  
Notary Public, State of New York  
No. 01KO6136427  
Qualified in Albany County  
Commission Expires Nov. 07, 2021